



**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

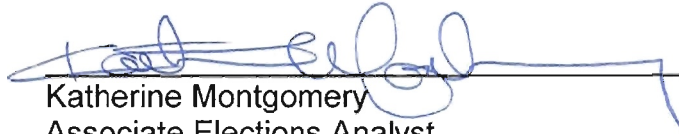
1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | [www.sos.ca.gov](http://www.sos.ca.gov)

March 19, 2009

County Clerk/Registrar of Voters (CC/ROV) Memorandum #09047

TO: All County Clerks/Registrars of Voters and Proponent

FROM:

  
Katherine Montgomery  
Associate Elections Analyst

RE: Initiative: 1357, Related to Societal Issues

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**REINSTATES RIGHT OF SAME-SEX COUPLES TO MARRY.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Charles Lowe  
P.O. Box 1042  
Davis, CA 95617

(800) 778-2998

#1357

**REINSTATES RIGHT OF SAME-SEX COUPLES TO MARRY.  
INITIATIVE CONSTITUTIONAL AMENDMENT.**

**CIRCULATING AND FILING SCHEDULE**

---

1. Minimum number of signatures required: .....694,354  
California Constitution, Article II, Section 8(b)
2. Official Summary Date: .....Thursday, 03/19/09
3. Petitions Sections:
  - a. First day Proponent can circulate Sections for  
signatures (Elec. Code § 336) ..... Thursday, 03/19/09
  - b. Last day Proponent can circulate and file with the county.  
All sections are to be filed at the same time within each  
county. (Elec. Codes §§ 336, 9030(a)) ..... Monday, 08/17/09\*
  - c. Last day for county to determine total number of  
signatures affixed to petitions and to transmit total  
to the Secretary of State (Elec. Code § 9030(b)) ..... Thursday, 08/27/09  
  
(If the Proponent files the petition with the county on a date prior to  
08/17/09, the county has eight working days from the filing of the petition  
to determine the total number of signatures affixed to the petition and to  
transmit the total to the Secretary of State) (Elec. Code § 9030(b)).
  - d. Secretary of State determines whether the total number  
of signatures filed with all county clerks/registrars of  
voters meets the minimum number of required signatures  
and notifies the counties ..... Saturday, 09/05/09\*\*
  - e. Last day for county to determine total number of qualified  
voters who signed the petition, and to transmit certificate  
with a blank copy of the petition to the Secretary of State  
(Elec. Code § 9030(d)(e)) ..... Wednesday, 10/21/09

\* Date adjusted for official deadline, which falls on a weekend (Elec. Code § 15).

\*\* Date varies based on the date of county receipt.

**INITIATIVE #1357**

**Circulating and Filing Schedule continued:**

---

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/05/09, the last day is no later than the thirtieth working day after the county's receipt of notification). (Elec. Code § 9030(d)(e)).

- f. If the signature count is more than 763,790 or less than 659,637 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 659,637 and 763,790 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (Elec. Code §§ 9030(f)(g), 9031(a)) ..... Saturday, 10/31/09\*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (Elec. Code § 9031(b)(c)). ..... Wednesday, 12/16/09

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 10/31/09, the last day is no later than the thirtieth working day after the county's receipt of notification.) (Elec. Code § 9031(b)(c).)

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (Elec. Code §§ 9031(d), 9033)..... Sunday, 12/20/09\*

\*Date varies based on the date of county receipt.

## IMPORTANT POINTS

---

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 124 Cal.App.3d 825, 177 Cal.Rptr. 621; 63 Ops.Cal.Atty.Gen. 37 (1980).
- Please refer to Elections Code sections 100, 101, 104, 9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

EDMUND G. BROWN JR.  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125  
P.O. BOX 944255  
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555  
Telephone: (916) 445-4752  
Facsimile: (916) 324-8835  
E-Mail: Krystal.Paris@doj.ca.gov

March 19, 2009

**FILED**  
In the office of the Secretary of State  
of the State of California

MAR 19 2009

Debra Bowen  
Secretary of State  
Office of the Secretary of State  
1500 11th Street, 6th Floor  
Sacramento, CA 95814

Debra Bowen, Secretary of State  
By   
Deputy Secretary of State

RE: Initiative 09-0002 (Amdt. #1-S.) "California Marriage Equality Act"

Dear Ms. Bowen:

Pursuant to Elections Code sections 9004 and 336, you are hereby notified that on this day we mailed our title and summary for Initiative 09-0002 (Amdt. #1-S.) "California Marriage Equality Act" to the respective proponent.

Enclosed is a copy of that title and summary, and a copy of the proposed measure.

Sincerely,

  
KRYSTAL M. PARIS  
Initiative Coordinator

For EDMUND G. BROWN JR.  
Attorney General

PROPONENT:  
Charles Lowe  
Yes! on Equality  
P.O. Box 1042  
Davis, CA 95617  
info@yesonequality.com  
(800) 778-2998

KMP:  
SA2009307431  
30697465.doc

Date: March 19, 2009  
Initiative No.: 09-0002 (Amdt #1-S.)

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

REINSTATES RIGHT OF SAME-SEX COUPLES TO MARRY. INITIATIVE  
CONSTITUTIONAL AMENDMENT. Repeals the current provision in California's  
Constitution that states only marriage between a man and a woman is valid or recognized in  
California. Provides that the initiative is not intended, and shall not be interpreted, to modify or  
change the curriculum in any school. Clarifies that the initiative is not intended, and shall not be  
interpreted, to mandate or require clergy of any church to perform a service or duty inconsistent  
with his or her faith. Summary of estimate by Legislative Analyst and Director of Finance of  
fiscal impact on state and local government: Over the long run, this measure would likely have  
little fiscal impact on state and local governments. (09-0002.)

Yes! On Equality  
[www.yesonequality.com](http://www.yesonequality.com)  
(800) 778 - 2998

STATE OF CALIFORNIA

January 26, 2009

Initiative Coordinator  
Office of the California Attorney General  
1300 I Street  
Sacramento, CA 95814

Reference: Amend; California Marriage Equality Act Initiative. No 09-0002

Dear Initiative Coordinator,

Yes! on Equality hereby requests that the attached amended initiative be submitted; two subsections to section two have been added. A new signed section 9608 has also been submitted.

Sincerely,

Charles Lowe  
Yes! on Equality  
PO Box 2413  
Sacramento, CA 95812

09 - 0002

Amdt. #1S

RECEIVED

JAN 26 2009

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

**Amended: Proposed California Ballot Initiative**

09 - 0002

**Amdt. #1S**

An act to repeal Section 7.5 of Article I of the California Constitution; therefore provisions to be repealed are printed in strike-through text.

**Section 1. Title**

This measure shall be known, and may cited, as the "California Marriage Equality Act."

**Section 2. (a) Section 7.5 of Article I of the California Constitution shall be repealed, stricken, and removed as such:**

~~Sec. 7.5 Only marriage between a man and a woman is valid or recognized in California~~

**(b) This section is not intended to, and shall not be interpreted to, modify or change the curriculum in any school.**

**(c) This section is not intended to, and shall not be interpreted to, mandate or require clergy of any church to perform a service or duty incongruent with their faith.**